THE HONOURABLE SRI JUSTICE J. CHELAMESWAR
AND
THE HONOURABLE SRI JUSTICE D. APPARAO

W.P. No. 14167 of 2006

Dated: 13.07.2006

Between:-

M/s Rajasthan Glass House, Old Topkhana, Hyderabad, represented by its Kartha Champalal Bhandari,, s/o Devi Chand.

…Petitioner

And

1. Addl.Commissioner (CT) Legal, Charminar Division, Hyderabad,
2. Commercial Tax Officer, N.S. Road Circle,Hyderabad.

…Respondents.

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O R D E R (per Hon'ble Sri Justice J. Chelameswar)

The petitioner is a dealer, registered under A.P.G.S.T. Act, carrying on business in glass sheets. For the assessment year 1995-1996, the petitioner was assessed and his liability to pay tax was determined at Rs. 2,43,760/-, which amount the petitioner claims to have paid in toto. Subsequently, the said assessment came to be revised by the Deputy Commissioner (CT), Charminar Division, Hyderabad, in exercise of the powers under Section 20 of the said Act and found that the petitioner is liable still to pay Rs. 2,98,956/-. Aggrieved by the same, the petitioner carried the matter in appeal to the Sales Tax Appellate Tribunal, Hyderabad. Pending the appeal, the petitioner sought stay of recovery of the above mentioned amount of tax, as found due by the revisional authority. The said application was rejected by the 1st respondent by his proceedings, dated 16.02.2006. Hence the present writ petition.

Heard the learned Government Pleader for Commercial Taxes.

In the circumstances, we are of the opinion that the writ petition can be disposed of at the stage of admission, directing the respondents not to recover the tax, pursuant to the revisional order referred to above, on condition of the petitioner deposits 50% of the

disputed tax within a period of six weeks from today. The amounts paid already, if any, shall be given credit while computing the above said amount.

The writ petition is, accordingly, disposed of at the stage of admission.

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J. CHELAMESWAR, J

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D. APPARAO, J

13th July, 2006
vp